

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JAMES M. DESIDERIO, JR.,

Plaintiff,

v.

WINNEBAGO INDUSTRIES;
FREIGHTLINER CUSTOM CHASSIS;
FREIGHTLINER CUSTOM
CHASSIS/ALLIANCE, WARRANTY
DEPT.; CATERPILLAR INC. ENGINE
DIVISION; ALLISON TRANSMISSION;
MEYERS CAMPERS,

Defendants.

CIVIL ACTION

NO. 02-CV-4677

DEFENDANT CATERPILLAR INC.'S
RULE 26(a)(1) INITIAL DISCLOSURES

PLEASE TAKE NOTICE that Defendant Caterpillar Inc. hereby makes the following Initial Disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1). These Initial Disclosures are made based on the information reasonably available to Caterpillar Inc. at this time. Caterpillar Inc. expressly reserves the right to supplement its Initial Disclosures as further investigation and discovery proceeds.

McCARTER & ENGLISH, LLP
Attorneys for the Defendant
CATERPILLAR INC.

By

Michael B. Fullano

Dated: May 9, 2003

INITIAL DISCLOSURES

1. Individuals Reasonably Likely to Have Discoverable Information Relevant to Disputed Facts.

Based upon information known as of this date, the following individuals may have discoverable information relevant to disputed facts:

**A. Mr. Ken Utley
Caterpillar Inc.**

**B. Kevin Bostrum
Meyer's Campers, Inc
759 State Fair Blvd.
Syracuse, NY 13209-1315**

Mr. Bostrum is the regional sales manager of Meyer's Campers and has knowledge regarding the motor home and its sale to Plaintiff.

C. All persons named in any document produced by any party, all persons named in pleadings or depositions, and such other individuals as further investigation and discovery may reveal.

2. Documents, data compilations, and tangible things relevant to disputed facts alleged with particularity in the pleadings that are in the possession, custody or control of the disclosing party:

**Records pertaining to the repair work completed on the Caterpillar engine.
Investigation as to the identity and relevance of other documents, as well as to the nature of the information contained the documents listed above is ongoing.
Caterpillar will supplement this response as necessary.**

3. Insurance agreement(s) under which any person carrying on an insurance business may be liable to satisfy part or all of a Judgment which may be entered against the disclosing party in this action or to indemnify or reimburse the disclosing party for payments made to satisfy any judgment:

None at this time. Defendant Caterpillar Inc. reserves the right to amend this response after further investigation and discovery.

4. Experts:

Defendant Caterpillar Inc. not yet retained any experts who are expected to testify at the arbitration/trial. Caterpillar Inc. reserves its right to retain experts and supplement this response after further investigation and discovery.

CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of the Initial Disclosures on all counsel of record as follows:

Craig Thor Kimmel, Esquire
Kimmel & Silverman, PC
30 East Butler Pike
Ambler, Pa. 19002

W. Bourne Ruthrauff, Esquire
Beth Carter, Esquire
Bennett Bricklin & Saltzburg, LLP
1601 Market Street, 16th Floor
Philadelphia, Pa. 19103

Charles C. Sweedler, Esquire
Montgomery McCracken
123 S. Broad Street
Philadelphia, Pa. 19109

Amanda Trask, Esquire
Kantrowitz & Phillipi, LLC
Suite 4210
Center Square West
1500 Market Street
Philadelphia, Pa. 19102



Michael B. Pullano

Dated: May 9, 2003